IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 1353 of 1998

Between:

P.Vijayalakshmi, W/o. P.Rao,
R/o. 16/287-7, Near Baliji Talkies,

Satyanarayanpuram, Gudivada,
Krishna District.

..... PETITIONER

AND

1 The Joint Collector & Addl.Dist Magistrate,
Krishna District.
2 The Executive Engineer, R & B,
Machilipatnam, Krishna District.
3 The Government of A.p.

rep., by its Secretary R & B Department, Secretariat,
Hyderabad.
4 The Govt. of A.P.

rep., by its Secretary Finance & Planning, Secretariat,
Hyderabad.
5 Yenigalla Varlalakshmi, W/o. Venkateswara Rao,
R/o. Pedaparupudi Village, Krishna District.
(R5 is impleaded as per court order dt. 19/4/2000

in WP MP 33680/99)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the action of the respondents in not fixing the rent as per the existing G.O.Ms.No. 269 dated 6.8.85 and G.O.Ms. No. 275 dated 14.9.95 as illegal, arbitrary, by issuing a writ of Mandamus or any appropriate writ order or direction.

Counsel for the Petitioner: Mr. A.K.NARASIMHA RAO

Counsel for the Respondents No.1 to 4: ASST.GP FOR REVENUE

Counsel for the Respondent No.5: Mr. E.V.S.S. ARCHARYULU.

The Court made the following :

ORDER:

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Heard the learned counsel for the petitioner, the Learned Assistant Government Pleader for the respondents 1 to 4 and
Sri E.V.S.S.Acharyulu, learned counsel for the respondent No.5.

2. This Court, while issuing Rule nisi on 22-01-1998, ordered notice to the respondents. However, as the respondents failed to file counter, after hearing the learned counsel on either side this Court by an interim order dated 09-12-1998, directed the respondents
2 and 3 to pay an amount of Rs.43,473/- (rupees forty three thousand four hundred and seventy three only) as instructed by the 1st respondent by his proceedings dated 06-06-1997. In view of the interim order dated 09-12-1998, passed by this Court, I am of the view that no further orders are required in this Writ Petition. However, the grievance of the learned counsel for the petitioner is that despite the fact that this Court directed the respondents 2 and 3 to pay the said amount of Rs.43,473/-, the same was not paid. If really it is so, the respondents are hereby directed to pay the said amount of Rs.43,473/- within a period of two months from the date of receipt of a copy of this order.

3. Accordingly, the Writ Petition is disposed of.

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(GOPALAKRISHNA TAMADA)

13th December, 2004.

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To

1 The Joint Collector & Addl.Dist Magistrate,
Krishna District.

2 The Executive Engineer, R & B,
Machilipatnam, Krishna District.

3 The Government of A.p.

rep., by its Secretary R & B Department, Secretariat,
Hyderabad.

4 The Govt. of A.P.

rep., by its Secretary, Finance & Planning, Secretariat,
Hyderabad.

5 Two CCs to the Asst. GP for Revenue, High Court of A.P.,

Hyderabad (O.U.T.)

6 Two CD Copies.